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2) Excessive concern
among the public
on balance
the
risk
altic and
pozaline

An Essay for a Reformation
of the Church of England
in the Year 1534
By Thomas Cromwell
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This lyttell booke declareth byuers
causes, wherby diuision hath rysen be-
twene the spiritualtie and temporaltie:
and partly sheweth, howe they may be
brought to a vnite. And if they that may
do moost good towarde the sayd vnite,
wyll take the articles of this treatise, as
lyttell tytlynges to bryng som weyhtier
thynges to theyr mynde concerning the
same, and thanne by theyr wysedomes
wyll adde them herevnto, and (as they
shall thynke necessarye) to see them all
put in due execution: I thynke ve-
ryly, that in shorte tyme they
shall brynge this matter to
good effecte, to the
honoure of
god, &
to
the comon welth and quiet-
nes of all the kynges
subiectes.



CDyuers articles, whiche haue bene a
 speciall cause of the diuision that
 is betwixt the spiritualtie
 and the temporaltie
 in this realme.
 The fyrst Chapiter.



Vho maye remembre the
 state of this realme nowe
 in these dayes, without
 great heuynes and sorow
 of herte? For there as in
 tymes past hath reigned charite/meke
 nes,concorde,and peace,reygneth nowe
 enuye/pryde/diuision/and stryfe: and
 that not onely betwene laye menne and
 laye men / but also betwene religious
 and religyous / and betwene preestes
 and relygyous / and that is yet more
 to be lamented, also betwene preestes
 and preestes. Which diuision hath bene
 so vniuersall that it hath ben a great vn
 quietnes and a great breache of chariti,
 through all the realme: and parte of ie
 hath rysen by reason of a great singulat
 rite, that religious persons and preestes
 haue hadde to theyr estate of lyuynge /
 A.ij. wherby

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wherby many of them haue thoughte theyz estate most perfite before all other. And some of them haue therby exalted them selfe in theyz owne syght so hygh/ that they haue rysen in to suche a ghostly pryde/that they haue in maner disdayned and dyspyed other, that haue not lyued in suche perfection as they thynke they doo. And of this hathe folowed, that some of them haue hadde vnsyt-rynge wordes of the other/callyng them flatterers, dissimulers, and hypocrites: And they haue called the other ageyne proude persons, couetous / vayne glorious / and louers of worldely delytes / and suche other.

¶ And an other parte of this dyuysion hath rysen by dyuersities of opynyons, that haue ben ypon the auctorities, powers, and iurisdiction of spirituall men amonge them selfe. And ypon these dyuysions some laye men haue in tyme past fauored the one parte / and some the other: wherby the people haue greatly be inquyeted. But I wote not fully by what occasion it is, that nowwe of late the great multytude of all the laye people

ple haue founde defaulte, as well at prestes as religious, so ferfourthe that hit is nowe in maner noted through all the realme/ that there is a great dyuyssion bytwene the spiritualtie and the temporalitie. And verly it is greatte pytie that suche a noyse shulde sprynge and go a brode. And some alledge dyuers causes why hit is so noysed. Fyrste they saye, that neyther preestes nor religious kepe not the perfection of theyr ordre to the honour of god and good example of the people/ as they shuld do: but that some of them procure theyr owne honour, and call it the honour of god/ and rather couet to haue rule ouer the people than to profyte the people. And that some couet their bodily ease and worldely welthe, in meate and drynke and suche other, more than commenly any temporal man dothe. And that some serue God for a worldly laude, and to be magnified therfore/ more than for the pure loue of god. And somme laye men saye farther, that though religious men haue varied with religious, and that some prestes haue varied also with religious in some pointes

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concernynge the preemynence of theyr perfection, as is sayde before: that yet in suche thynges as perteyne to the mayntenaunce of the worldlye honour of the churche and of spiritualle men, whiche they call the honour of god, and in such thynges as perteyn to the encrece of the riches of spiritual men, religious or secular, they saye they agree all in one. And therfore they say, that all spiritual men, as to the multitude / be more diligent to enduce the people to suche thynges / as shall brynge ryches to the churche, as to gyue money to trentals / and to founde chaunteryes and obytes, and to obteyne pardons, and to go vpon pylgremages, and suche other: than they be to enduce them to the payment of theyr dettes, to make restitutions for suche wronges as they haue done / or to do the werkes of mercye to theyr neyghbours, that be poore and nedy / and that sometyme be also in ryght extreme necessite.]

¶ And for as moche as it is most commonly sene / that amonge a great multitude there be many, that worke rather vpon wyll than vpon reason, And that though

though they haue a good zeale, yet many tymes they lacke good ordre and discretion, whiche is the mother of al vertue. Therfore some persons thynkyng that worldely honoure and ryches letteth greatly deuocion, so moche that as they thynke, they can nat stande to gyther, haue holden opinion, that it is not lauffull to the churche to haue any possessions. And some takynge a more meane waye therin, haue sayde that as they thynke, it is lauffull and also expedient, that the churche haue possessions: but they thynke, that the greatte habundance, that is in the churche, doth great hurt, and induceth in many of them, a loue to worldely thynges, and letteth and in maner strangleth the loue of god.

And therfore they thynke, that it were good to take awaye that is to moche, and to leue that is sufficient. And some also, as of a policie to pull ryches fro the churche, haue inveyed ayenste all suche thynges as brynge ryches to the churche. And bicause great riches haue comme to the churche for prayenge for soules in purgatozye, haue by wordes

*la discretion e
madre de gl'assim*

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affirmed / that there is no purgatorie :
 And that grauntynge of pardons riseth
 of couetyse of the churche , and profy-
 teth not the people / and that pylgrema-
 ges be of no effecte , and that the chur-
 che may make no lawes , and such other
 thynges / as foundynge of chaunteries ,
 making of brotherhedes / and many mo.
 Wherin they shewe outwardly to ryse
 ageynst all the thynges before reherfed ,
 and to dyspyse them / and yet they know
 and beleue in theyr hartes / that al these
 thynges be of them selfe right good and
 profytable / as they be in dede / if they
 were ordered as they shulde be . And
 somme persones there be / that throughe
 grace fynde defaute onely at the abusion
 and mysse order of suche thynges , and
 speke nothyng ayenst the thynges selfe ,
 neyther of purgatorie / pylgremages , set-
 tynge vppe of ymages / or suche other .
 For they knowe well , they be ordeyned
 of god , and that the mysorder ryseth
 onely of man for couetyse , singularite , or
 some other suche lyke defaulte / through
 perswasion and disceyte of the goostely
 ennemye . And thoughe some men haue
 mysta-

mystaken them selfe in the sayd articles, yet dyuers other haue sayd, that if they had ben well and charitably handeled, they myghte haue benne resourmed, and paradventure saued in bodye and in soule.

And vpon al these matters there is ry sen a great opinion in the people, in manner vniuersally, that in punysshing and correccyons all these persons before rehersed shulde haue lyke punysshement, if spirituall men myght haue free lybertye in that behalfe. And that spirituelle men wolde, if they coulede: as well put them to silence, that speake ayenst the abusyon or disordre of suche thynges, as be before rehersed, as them that speke ayenst the thyng selfe. And many other murmours & grudges beside these that be before rehersed, be amonge the people, mo than I can reherse nowe: but yet aboue all other me thynketh that hit is most to be lamented and sorowed, that spirituelle men, knowyng these grudges and murmuracions amonge the people, and knowyng also that many layc men haue opinion, that a great occasion

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therof ryseth by spirituall men, and that they do no more to appease them, ne to ordre them selfe in no other maner for the appeasyng of them, than they do. For al that they do therin most comenly is this: they take hit, that they that fynde defaute at suche abusions and disordre, loue no prestes: and therfore they esteeme that they do of malyce all that they do, to distroy the churche / and to haue theyr goodes and possessions them selfe: And therfore they thynk it a good dede to se them punysshed, so that they shall not be able to brynge theyr malyce to effect. And therfore haue they punysshed many persons / which moche people haue iuged them to do vpon wyl, and of no loue vnto the people. And though spiritual men are boude in this case, for ap-
peling of these opiniōs in the peple / whiche be so daūgerous as well to spirituall men, as to temporal men, that many soules stonde in great peryl therby, not only to reforme them selfe, and to leue and auoyde all thynge, that gyue occasion to the people, so to offende, that may by charyte be omitted and lefte / but also to
fast,

fast, pray, weare the heare, gyue almes,
and to do other good dedes for them
selfe and for the people, cryenge conty-
nually to our lorde, that these diuisions
may ceasse, and that peace and concorde
may come agayne into the worlde: yet
it appereth not that they do so, but that
they rather contynue styll after the olde
course / pretendyng by confederacies
and worldly polycies, and streyte cor-
rections, to rule the people / and that is
greatly to be lamented, and it wyll be
harde for them to brynge it so about.

But if they wolde a lytell meken them
selfe, and withdrawe suche thynges as
haue brought the people into this mur-
moure and grudge: they shulde anone
brynge a newe lyght of grace in to the
worlde, and brynge the people to per-
fecte loue and obedience to theyr supe-
ryours. And here me thynketh I might
saye farther in one thyng / and that is
this, that as longe as spirituelle rulers
wyll eyther pretende, that theyr aucto-
ritie is so hygh, and so immediatly deri-
ued of god, that the people are bounde
to obeye them / and to accepte all that
they

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they do and teache / without argumen-
tes resistence or grudgyng ayenst them,
or that they wyll pretende / that no de-
faulte is in them, but in the people, and
wyll yet contynue styll in the same ma-
ner, and after the same worldly counte-
nance, as they do nowwe / and haue done
late tyme paste: The lyght of grace that
is spoken of before, wyll not appere, but
that bothe parties shall walke in this
darkenes of malyce and diuision, as they
haue done in tyme paste.

CAn other occasyon of
this diuision.
The seconde Chaptyer.



There haue bene made in ty-
me past many good lawes
by the churche for the good
ordre of spirituall menne;
whiche were right necessa-
rye to be kept to this day: whiche nowwe
be altered eyther by a lawe made to the
contrarye / or by somme euylle custome
brought vp and suffered ageynste them.
And I shal bresly recite some of them as
I haue

I haue founde them wrytten by other
before this tyme.

C fyrste there was a lawe made, that
a man well approued in his werkes and
doctrine shulde be made a bysshop/and
not a chylde ne a carnall man, or that is
ynlerned in spiritual thynges.

C Also that nothyng shulde be gyuen
in any place for burialles, confession, gy-
uyng of ordres, ne for any of the sacra-
mentes, nor for any promocion.

C Also that bysshops and prestes shulde
not be atte vayne worldely syghtes or
pleys, ne delyte in them.

C That it is not lausfull for a bysshoppe
or preeste to be absente on the sondaye,
but to be at Masses/and that fastyng.

C That no preest shulde eate fleshe from
Quinquagesime to Eester.

C That prestes shuld faste aducent.

C That bysshoppes and preestes, and
especially monkes and religyous, shall
studye in heuenly scriptures, all lernyn-
ges and practises of litigious thynges
leste and sette aparte.

C That the bysshop shall euery yere go
aboute his dioces with great diligence,
and

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and effecte.

That heuenly scriptures be redde at the bysshops table.

That a clerke fulle of fowle wordes shall be put fro his offyce.

That the wages of clerkes shalbe gyuen after theyr merites.

That prestes shall eschewe feastes at mariages.

That clerkes shall comme in no tauerne.

That a bysshop shall haue poore apparell, lodgyng, and table, and fedynge for poore men.

That a bysshop shal not lightly strue for transytorie thynges.

That clerkes shuld rather studie, that theyr bretherne that varye, be brought to peace, than to iudgement.

That a clerke shulde instructe every man with his wordes, and to the entent that poore men shuld not be greued, that they shulde get theyr lyuynge with some handy crafte, as saynt Paule byd.

That clerkes shall not take vppon them the actes or procuracyons of secular men.

That

That laye men shall not make clerkes theyr factoures or gouernoures vnder them.

That monkes after the counseyll of Calcidonence, shalbe holly entendinge to fastynges and prayers in the places where they renounced the worlde, and that they forsake not theyr monasteries for no busynes of the churche ne of the worlde.

That clerkes that customably be players at tables or hunters, shalbe prohybit of houslyng. And saynt John Chrysostom vpon Mathewe the. xxi. Chapter sayth/that as of the temple cometh out all goodnes/so of the temple al euyl procedeth. And therfore it soloweth, that if presthode be hole, all the churche flourisheth: And if it be corrupte/ the sayth and vertue of the people fadeth also and falleth awaye: as if thou se a tree that hath wethered leues/ thou knowest ther by that there is a defaut in the rote / so whan thou seest the people lyue out of good ordre, knowe it for certayne, that theyr presthode is not hole ne sounde. And therfore if it were asked / where is
nowe

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nowe the deuocion and obedience of the
inferiours, the defence of knyghtes, the
peace of Ghristen pryncis, to the ende
that they beyng at a concorde, myghte
resiste and feyght agaynst ismatikes and
infydels / recouerynge ageyne regions,
whiche they haue nowe taken fro chris-
ten men, and peruerted them: It myght
be answered that they be gone through
brekyng of suche lawes.

Many of these sayenges and dyuers
other here omytted, be the sayenges of
Johñ Bers chancellor of Paris, in a trea-
tise that is called in latin *Declaratio de
sectum virozum ecclesiasticorum*. In
whiche treatise he recyteth also dyuers
abusyons, wherof I shall recyte parte
vnder the maner of questions for shorte-
nes, as he doth / as wel cōcernyng other
countreyes as this, that they maye the
rather be knowen and auoyded.

Fyrst he asketh this question. What
it auaieth / or what profiteth the church
the superfluous pompe of prelates and
cardinalles, and what meaneth it?

Also that one man hath. iiii. v. vi. or
viii. benefyces, wherof he is not percase
worthy

worthy to haue one, wherwith .viii. persons might be susteyned, that gyue themselves to lernyng/prayer/ & to the seruice of god? Were (saythe he) take hede. Whether hors, dogges, byrdes, and the superfluous company of men of the church shulde rather eate the patrimonie of the church / than the poore menne of Christe/or that it be expended in the seruice of god, and to the conuersion of infidels / or in suche other werkes of mercye and pietie? O howe many places (saythe he) ordeyned for the seruice of god in Rome and elles where / be now through the negligence of prelates desolate & destroyed? O how is it sayth he, that the swerde of holye church, that is the sentence of Excommunication, to her owne dispite and reproofe, is so lightly drawen out: and for so lyttell a thyng (as sometyme for dette) is so cruelly executed vpon poore men? What is it also, that one cause vppon a smalle thyng shall contynue so many yeres? and why is not that lengthe of tyme, whiche is the spoyler and robber of poore men, in somme conuenient maner

B cutte

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cutte away & why is it not rather mercifully appoynted to the Jewes converted, somme reasonable lyuynge of theyr owne goodes rather than by extreme necessity to compelle them to forsake the saythe ageyne, and to reprove chrysten men / that they be cruelle and haue nopitie? Judge ye also (sayth he) whether is great varietie of ymages and pictures be expedient: and whether they do not peruert som simple persons to ydolatrie? But here hit is to be nooted / that Johñ Berson syndeth not defaute in settinge vp of ymages, for he commendeth it in many places of his werkes, but he syndeth defaute at the varietie of them in theyr peyntynge and garnysshyng with golde / syluer / precious stones, and suche other / with so great riches about them, that some symple persons myght lightly be enduced to beleue some special workinge to be in the ymages, that is not in them in dede. And so he syndeth defaute at the abuse of ymages: and not at the settinge vppe of ymages. Discusse also (sayth the sayd Johñ Berson) whether so large exemptions as somme haue, be expe-

expedient: and whether it be profytable
so to leade them froo theyz ordinaries?
Serche also saythe he, if there be not
some apocrifate wrytynges, or prayers,
or hymnes by processe of tyme (somme
of purpose, some by negligence) broughe
vp to the hurte of the saythe? but than
he asketh: whether all prelates and pre-
stes be gyltie in the articles aboue reher-
sed, and he saythe our lorde forbede it.
For lyke as Helyas, whan he had went
that all the people of Israell hadde bene
fallen to ydolatrie, herde our lorde say/
I haue yet reserued seuen thousand me,
that neuer bowed theyz knees before
Baale: ryghte so it may be sayde, that
nowe in these dayes our lorde hath re-
serued ryghte many good menne bothe
spiritualle and temporalle / that be not
gyltie in any of the sayde articles / ne
yet partie in any maner to the sayd diui-
syon, whiche throughe helpe of grace,
and with the fauoure of the superiours
shall be ryghte well able to brynge the
other to good accorde.

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Another occasion of this
dyuysion.

The thyrde Chapiter.



Here be many lawes and
decrees made bi the church
wherin it is recited, *q* laici
*s*ūt clericis infesti, that is to
saye, that laye men be cruel
to clerkes, and therfore the church hath
thervpon made dyuers lawes to opresse
that crueltie, as in them appereth. And
thervpon hath solowed, that whan pre-
stes haue red the lawes, they haue iuged
therby, that theyr reulers haue knowen
some great crueltie in laye men agaynst
clerkes. For elles they wolde not haue
put tho wordes in to theyr lawes, and
that hath caused many spyrytuall men
to adiudge the more lyghtly, that suche
thynges as laye men haue done concer-
nyng them, hath rather ben done of ma-
lice and cruelti than otherwise, and that
iudgement in processe of tyme hath cau-
sed them to confedre them selfe togyder,
to resiste that malice, whiche they many
tymes by occasion of the sayde wordes,
haue

haue iudged to be greater than it was/
and haue many tymes recyted the wordes,
assermyng them to be true : and
therfore they haue extended all lawes,
that be made agaynst laye men the more
extremely ageynste them : wherby the
people in many countreyes haue bene so
ofte greued and oppressed, that they
haue grutchted maruayllously at it. And
whan lay men haue redde tho wordes,
they haue take therby, that the makers
of tho lawes, whiche represent in them
the estate of all spirituall men haue iud-
ged that the makers therof thoughte/
that laye men were cruell agaynst them :
and where crueltie is iudged to be, there
is no loue. For lyke as nothyng helpeth
more to norysse the loue in a man than that
he maye knowe / that the other louethe
hym / though he neuer receyued any pro-
fyte by hym : so nothyng nouryssheth
more diuision and discorde than that a
ma know that an other loueth him not,
though percase he know, that he neuer
dyd hym hurte, ne entendeth not to do.
And therfore whan lay men haue by tho
wordes taken occasyon to thynke, that

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spyrytuall men haue adiuged crueltie in
 them: they haue anon iuged, that spy-
 ritual men loue them not, and that hath
 in their hartes broke the charitable loue
 and obedyence, that they ought to haue
 to spyrytuall reulers: and thoughe the
 occasion of this artycle be not vniuersall
 (for all laye men haue not sene tho wor-
 des) yet the reporte of tho wordes hath
 come to the knowlege of many lay men,
 as well by spyrytuall men as by tempo-
 rall men, that haue redde them: which
 by longe contynuaunce hath nozysshed
 one great branche of this diuision / whi-
 che I suppose verily wylle neuer fullye
 be appeysed, tyll the spyrytuall gouer-
 nours wyl be as dilyget to make lawes,
 that shal brynge in mekenes amonge spy-
 rytuall men, and that may enduce them
 charytablye to suffre some tyme them
 that offende them / as they haue bene in
 tyme past to make lawes to set spyrytu-
 all men in suche case / that they may cor-
 recte all them and kepe them vnder, that
 wyll any thyng resist them. And lyke
 as many spirituall men haue mysordred
 them selfe ageynste laye men, not onely
in

in suche thynges as be partely touched before / but also in wordes, assermyng somtyme, that laye men loue not prestes: so in likewise some lay men misordre the selfe in wordes agaynst prestes, and wyll saye / that there is no good preste / or that all prestes be nought: and some, as it is sayde / wyll call them somtyme horeson prestes. And if all these wordes were prohybyte on bothe sydes vpon greate paynes / I thynke it wold do great good in this behalfe.

An other cause of this
dyuysion.

The fourthe Chapyter.



Be harde & extreme lawes that are made for layenge vyolent handes vpon clerges, and suche other spirytual persones, hath ben an other cause of this diuision. For they be verye parcial / as to the reders wyll appere, and they be also so generall /

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that nether kyng nor lord be not excepted in them, but that they shulde goo to the pope to be assoyled. And the sayde lawes be .xvij. q. iij. si quis suadente diabolo et ex. de sentenc. excommunicac. ca. Non dubium, et ca. mulieres/ et La. peruenit: et ca. ea nescitur. & in many other chapiters there, et ex. de sentenc. excommunicac. li. vi. ca. religioso. And these lawes be suche, that if a manne in violence lay his hande onely vpon a clerke/ that he is accoursed: but though a clerke bete a laye manne wrongefully, and with violence, he is not accoursed. And this parcialyte hath done greatte hurte.

C An other occasyon of
this diuision.

The fyfte Chaptyer.



Though there be dyuers good and reasonable articles ordeined bi the church to be redde openlye to the people at certayn dayes by the churche therto assygned/ which commonly

menly is called the generall sentence: yet many curates and theyr parysshe prestes sometyme rede onely parte of the artycles, and omytte parte therof, eyther for shortnes of tyme, or els to take suche artycles as serue mooste to theyr purpose. And somtyme, as it is sayd, they adde othre excommunications after their mynde, that be not putte in to the sayde generall sentence. And whan the artycles be chosen out, they sounde to so great parcialite and fauour for spirituall men, eyther for payement of tythes, offerynges, mortuaries, and suche other dueties to the churche, or for the mayntenaunce of that they calle the lyberties of the churche, as that no preeste nor clerke shall not be put to answer before laye men, specyally where theyr bodyes shulde be arrested, or that no impositions shulde be layde vpon the churche by temporall power, or ageynste them that with violence lay handes vpon preest or clerke, or suche other: that the people be greatly offended therby, and thynke great parcialite in them, and iudge them rather to be made of a pryde and couetyse of the

B 5 churche:

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churche: than of any charite to the people, wherby many doo rather dyspse them than obeye them. And I suppose veryly, that this diuision wyll neuer be perfytely and chariably reformed and broughte to good accorde, tyll the people come to this poynt: that they shall greatly feare and drede to runne in to the leeste censure of the churche. And that wyll neuer be, tyll the heedes spyrytuall wyll reforme them selfe, and shewe a fatherlye loue vnto the people, and not extend the sentences of the churche vppon so lyght causes, and vppon suche parcialyte, as they haue doone in tyme paste. And if they wyll reforme these poyntes before reherased, and somme other hereafter solowynge, I suppose veryly the people wyll gladdely here them and solowe them. For than, as the gospelle saythe, they be theyr verie shepardes. Wherefore if it were ordeyned as well by auctoritie of parlyamente as of conuocation, that suche artycles shulde be deuysed and putte in to the generall sentence, that shulde styre as well spyrytuall

tuall menne / as temporalle menne to
loue vertue / and flee vyces / to loue
trouth and plainnes / and to flee falshode
and doublenes, and that none vppon a
payne shulde adde or dymynyshe any
thyng concernyng the sayde articles:
I thynke it wolde helpe moche to make
a good agrement of this diuision, and to
contynue the same / with loue and drede
betwixte the reulers spirytuall and the
people / as there oughte to be. And if
lyke articles were deuised to refrayne
spiryтуalle men fro gyuyng hereafter
any ferther occasion to this diuision, or
any other lyke: and they to be redde at
visitations / Scenes, and suche other like
places / where prestes assēble by cōmande
ment of theyr ordinarie, with certayne
paynes to be appoynted by parlement &
conuocation: I thynke it wolde bryng
many thynges in to good order / and
helpe moche to a good reformation of
this diuision.

CAn other occasion of this
diuision,

The sixte Chapirer.

An

A TRETISE.



Another occasyon of this diuision hath partely ryſen bi temporal men, that haue deſired moche to haue the familiaritie of preeſtes in theyr games and diſportes, and haue vſed to make moche more of them that were compenſable, thanne of them that were not ſo, and haue called them good felowes and good companions. And many alſo wolde haue chapleyns, whiche they wolde not onely ſuffre, but alſo commande to go on huntynge hauking, and ſuche other vayne diſportes. And ſome wolde let them lye amonge other laye ſeruauntes, where they coulde neyther vſe prayer nor contemplation.

And ſome of them wolde ſuffre them to go in lyueries / not conuenient in colour for a preſte to weare, and wold alſo many tymes ſet them to worldely offices, as to be bayliſſes, receyuours, or ſtewardes: and than whan they haue by ſuche occaſion bene moche beaten, and greatly exercyſed in ſuche worldely buſynes / ſo that the inwarde deuocyon of the harte hath ben in them as colde and
as

as weke in maner / as in laye men / yet if
any benefyce haue fallen voyde of theyz
gyft, they wolde preferre them to it, ey-
ther as in recompens of theyz busyness
and labours, or for that they were good
companions: rather than another good
deuoute man / that percase is lerned, and
kepeth hym selfe fro suche wordely va-
nyties and ydle company / or that is dis-
posed somtyme to admonyshe charyta-
bly suche as he is in company with / of
suche defautes as he seeth or hereth of
them / and that fewe me do loue to here:
And therfore wyll they preferre them/
that wyl let them a lone. And yet whan
they haue so done / they wyl anone speke
euyll of prestes, and reporte great lyght-
nes in them, and lyghtly noote one preste
with an nother prestes defaute / and that
whan they haue bene partly occasioners
to theyz offences them selfe / as it is sayd
before. And this demenor hath through
a longe contynnaunce nozysshed some
parte of this dyuysion / and so wyll it do
as longe as it cotinueth. And also where
by the lawe, prestes oughte to be at the
churche on sondays and holy dayes, and
helpe

A TREATISE

helpforth the service of god in the quere/
 and ought also whan they be there, to
 be ordered by the curate: yet neuer the
 lesse many men that haue chappeleyne,
 wyll not suffre them to come in the pa-
 rish church, and whan they be there,
 they wyll nat haue them ordered by the
 curate but after them selfe: ne see them
 be in the quere, but sendeth them many
 tymes on other errandes: and that in
 worldly matters, as customably as they
 doo other seruauntes: and many suche
 chapleyne shewe them selfe evidently
 by theyr diligence in that behalfe, to be
 better contente to do that busynesse than
 to be in the quere: and that maketh the
 curates and the neyghbours bothe to
 thynke a great lyghtnes in them, and do
 discomende them for it, and whan they
 here of it they be also discontented, and
 theyr may fiers bothe, and say the paris-
 shes haue nothyng to do with it, and
 commenly other chapleyne wyll take
 parte in suche matters: wherupon dy-
 uers grudges and variances haue rysen
 in many places, that haue done greatte
 hurt in this behalfe. And as it is in this
case

case of chapleyne, and seruyng preestes/
so it is also of chantry preestes & brother-
hoode preestes in many places. And as it
semeth these articles myghte be holpen
thus, that is to say, that it be prohibited
vpon a payne, that no preeste shall here-
after customably vse huntynge, haw-
kyng, cardes, dyce, nor suche other
games vnfyttynge for a preeste, though
percase he may as for a recreation vse
some honeste disportes for a tyme: ne cu-
stomably vse the ale house or tauerne.
And if any preeste vse any suche vnlaful
games or other demenour, not conueni-
ent for a preeste/ so moche that the people
be offended by it, and synde defaut at it,
that than if he be warned therof by an
abbot and a Justyce of the peace of the
shire, where he is dwellynge, and yet he
do not reforme hym selfe: that than be-
side the sayde payne, he be by conuoca-
tion suspended fro ministryng the sacra-
mentes, and be dysabled to take any ser-
uice, tyll he be enabled agayne by the
kyng and the ordinarie. And that it be
farther enacted, that no man shal haue a
chapleyne hereafter/ but he haue a ston-
dyng

A TREATISE

dyng house, and that onely in his ston
dyng house, and none to haue a rydyng
chapleyne vnder the degree of a barone,
⁊ that he that hath a ston dyng house /
and hath also a chapleyne / shall vppon
a payn prouide for his chapleyn a secrete
lodging with locke and key / that he may
lodge fro the commen recourse of the
laye seruantes, and vse hym selfe therin
conueniently in redyng, prayer, or con-
templatyon, or suche other labours and
busynes as be conueniente for a preeste
to vse.

CAn other cause of the sayd
dyuysion.

The seventh Chaptyer.



An other occasyon of the
sayd dyuysion hath bene
by reason of dyuers sutes
that haue ben taken in the
spirituall courtes of office
that is called in latyn, ex officio: so that
the partyes haue not knowen who hath
accused them, and therypon they haue
sometyme bene caused to abiure in causes
of heresies: sometyme to do penauce, or
to

to pay great sommes of money for redem-
myng therof, which vexation and char-
ges the partis haue thought haue come
to them by the iudges and the offycers
of the spirituelle courte, for they haue
knowne none other accusers, and that
hath caused moche people in dyuers par-
tyes of this realme to thynke great ma-
lyce and parcialyte in the spirytuall iud-
ges. And if a man be ex officio broughte
before the ordinarye for heresie, if he be
notably suspected of heresye: he muste
pouge him selfe after the wyl of the or-
dinary, or be accursed, and that is by the
lawe, extra de hereticis. ca. Ad abolen-
dam. And that is thought by many to
be a very harde lawe, for a man may be
suspected and not gyltie, and so be dry-
uen to a purgatio without prose or with-
out offence in hym, or be accursed: and
it appereth de hereticis li. vi. in the cha-
piter In fidei fauorem, that they that be
accursed, and also partyes to the same
offence may be wytnes in heresy: and in
the chapiter accusatus pag. licet, it appe-
reth that if a man be sworne to say the
trouthe concernynge heresie, as well of
L hym

A TRETISE

hym selfe as of other, and he fyrste confesseth nothyng / and after contrary to his fyrst sayenge he appeleth bothe hym selfe and other: if it appere by many fesse tokens, that he dothe it not of lightnes of mynde, ne of hatred / nor for corruption of money: that than his wytnes in fauoure of the saythe shal stonde as well ageynste hym selfe, as agaynste other: and yet hit appereth euidently in the same Courte, and in the same matter, that he is a periured persone.

This is a daungerous lawe, and more lyke to cause vntrew and vnlawfulle men to condempne innocentes, than to condempne offenders. And it helpeth lyttell, that if there be tokens / that it is not done of hatred, nor for corruption of money: that it shulde be taken: for some time a wolfe may shewe hym selfe in the appaile of a lambe. And if the iudge be parciall, suche tokens may be sooner accepted than truly shewed. And in the chapiter there, that begynneth Statuta quedam / it is decreed, that if the byshoppe or other enquerors of heresy, se that any great daunger myghte comme

to

to the accusours or wytnes of heresie by the great power of them that be accusid: that than they maye commaunde, that the names of the accusours or wytnesse shal not be shewed but to the bysshop or enquerours, or suche other lerned men as be called to them, and that shall suffice, though they be not shewed to the partie. And for the more indempnitie of the sayde accusours and wytnesse it is there decreed that the bysshoppe or inquerours maye enioyne suche as they haue shewed the names of suche wytnes vnto, to kepe them close vpon payne of excommunication, for disclosynge that secrete without theyr lycens. And surely this is a sore lawe / that a man shall be condempned, and not knowe the names of them that be causers therof.

¶ And though the sayd lawe seme to be made vpon a good consideracion for the indempnytie of the accusours and wytnes, yet it semeth, that that consideracyon can not suffice to proue the lawe reasonable. For it semeth that the accusours and wytnes myght be saued from daunger bi a nother way / and that is by

A TRETISE

this way. If the bysshop or inquerours
diede, that the accusours and wytnes
might take hurt, as is sayd before: that
might they shewe it to the kynge and to
his counsaile, beseechynge his grace of
helpe in that behalfe / to saue and defend
the accusours and wytnes fro the extort
power of them that be accused: And if
they wold do so: it is not to suppose / but
that the kynge wold sufficiently provide
for theyr saufe garde: But for as moche
as it shulde seme, that spirituall menne
somwhat pretende to punyssh heresies
only of theyr owne power, without cal-
ling for any assistance of the temporal po-
wer / therfore they make suche lawes, as
may helpe for the theyr purpose, as they
thynke: but surely that is not the charita-
ble way / to put the knowlege of the na-
mes of the accusours and wytnes fro him
that is accused, for if he knewe them / he
might percase alledge and proue so great
and so vehemente cause of rancour and
malyce in the / that accuse him, that their
sayenges by no lawe ought not to stonde
agaynst hym. And that spyrytuall men
pretende / that they only shulde haue the
hole

hole inquerie and punysshment of heresie,
it appereth extra de hereticis. li. vi. ca. vt
inquisitionis, perag. prohibem^o: where
all powers and all lordes temporall and
reulers be prohibite, that they shall not
in any maner take knowlege or Judge
vpon heresie / syth it is mere spyrytuall,
and he that enquereth of heresie / taketh
knowlege of herisie. And so the summe
called summa rosella, taketh it titulo ex-
communicac. perag. iiii. And if that be
true, it semeth than, that all iustices of
peace in this realme be excommunicate: for
they by auctoryte of the kynges comissy-
ons and also by statute, enquire of here-
sies. And I thynke it is not in the church
to prohibyte that: for though it were so,
that the temporall men maye not iudge,
what is heresie and what not / yet they
may, as it semeth, by theyr owne aucto-
rytie enquire of it and enforme the ordy-
narie, what they haue founde. And also
if a metropolytayne with all his clergie
and people of his dyoces fel into herisie:
it wolde be herde to redresse it without
temporal power. And therfore temporal
men be redye and are bounde to be redy

A TRETISE

to oppresse heresies, whan they ryse: as
 spiritual men be. And therfore spirituall
 men may uot take all the thanke to them
 selfe: whan heresydes be punysshed, as
 though they: charyte and power onely
 dyd it, for they haue the fauour and help
 of temporalle men to do it, or els many
 tymes it wolde not be brought aboute.
 Neuertheles myn entent is not to proue
 the said lawes al holly to be cruel & vnre-
 sonable, for I know well that it is right
 expedient, that strait lawes be made for
 punysshment of heresies, that be heresies
 in dede, more rather than any other of-
 fence, and that the discretion of the iud-
 ges spirituall maye ryghte well aswage
 the rygour of the sayde lawes / and vse
 them more fauorably agaynst them that
 be innocent / than agaynst them that be
 wyllfull offendours, if they wyll chari-
 tably serche for the truthe. But surely if
 the sayde lawes shulde be putte into the
 handelynge of cruell iudges, it myghte
 happen that they shulde many tymes pu-
 nysh the innocentes as wel as offendours,
 but I truste in god / it is not so. Neuer-
 theles whether it be so or not, certaine it
 is,

is, that there is a great rumo ur amonge
the people/that it is so, ⁊ th a t spirituall
men punyſhe not heresie onely for zeale of
the faith, and of a loue ⁊ a zeale to the pe-
ple with a fatherly pitie to them that so
offende/as they ought to do/howe great
offenders so euer they be / but that they
do it rather to oppresse them that speke
any thyng agaynst the worldly power
or rycheſſe of ſpyrytuall men/or agaynst
the great confederacie, that (as many
men laye) is in them to maynteygne it.
And though many ſpyrytuall men may
be founde, that haue ryght many great
vertues and great gyftes of god as cha-
ſtitye / lyberalitye / pacyence, ſobrenes,
temperaunce, connyng, and ſuch other,
yet it wyll be harde to fynde any one
ſpyrytuall man: that is not enſecte with
the ſayd deſyre and affection to haue the
wordely honour of preſtes exalted and
preferred/ ⁊ therfore if any lay mā report
any euyl of a preſte/though it be openly
known, that it is as he ſayth / yet they
wyll be more dylygent to cauſe the laye
man to ceſſe of that ſayenge, than to do
that in them is, to reſourme that is a

A TRETISE

myſſe in the preeſte / that it is ſpoken of,
takyng as hit were an occaſion to doo
the leſſe in ſuche reformations, bycauſe
laye men ſpeke ſo moche ageynſt them :
But ſurely that wyll be none excuſe to
ſpirituall rulers afore god / whā he ſhall
aſke accompte of his people, that were
commytted vnto theyr keepynge.

CAnd if this diuiſion be ſuffred to con-
tinue, it is not vnylike / but that greate
bendynge ſhall ſolowe on both parties /
wherby greate hurte and inconuenience
maye growe vnto moche people. And I
ſee none that may ſette a meane way be-
twene theſe extremities, ne that mindeth
any thyng to do good in it, but the kyn-
ges grace and his parlyamente. And I
thynke veryly, that they are bounde in
conſcience to ſolowe it with effecte, tyll
the diuiſion be clerely ceſſed. Our lorde
of his mercy ſende them grace to do it.
Amen.

CAn other occaſion of this
dyuyſion.

The eyght Chapyter.

It



Is a comen opinyon among doctours, that none is an heretike for that onely that he erreth / but for that he defendeth opynatyselye his error. And therfore he that erreth of symplite may in no wyse be sayd an heretyke. And summa rosella, in the tytyle hereticus in principio, sayeth / that a man may erre, and meryte therby: and he putteth this example. If a symple vnlerned man here the preachynge of his bysshop, that preacheth happily agaynst the faith, and he beleueth it with a redy mynde to obey: this man meriteth, and yet he erreth: but that is to be vnderstonde where ignorance excuseth. Than it semeth, that it is not ynough to proue that a mā is an heretike, for that he hath holden opinions ayenste that the church teacheth / ne that he oughte not to make any purgatyon nor abiuration for it: for that that he hielde in suche case was not his sayth / but the sayth of the churche was his sayth, though happily he were not than fully auysed of it. And therfore saynt Aidan, whan he helde the wronge

L s parte

A TRETISE.

parte of kepyng of Eester, was no heretyke, and some say that saynt Chadde was of the same opynyon as saynte Aldan was, whiche in lyke wyse was no heretyke / for theyr desyre was to knowe the truthe : and therfore it is not redde, that they made eyther purgacyon, or abiuracion / ne yet the abbotte Joachim, whiche neuer the lesse erred / for he was redy to submyt hym to the determynacyon of the church, and therfore he was neyther holden as an heretyke / ne compelled to abiure. Than if this be sothe, it were greate pitie, if it shulde be true, as is reported / that there shulde be so great a desyre in some spyrytuall men to haue men abiured, or haue the extreme punysshemente for heresie / as it is sayde there is. For as some haue reported, if any woll wytnes / that a man hath spoken any thyng, that is heresie, though he speke it onely of an ignoraunce, or of a passyon, or if he canne by interratories and questyons be dryuen to confesse any thyng, that is prohybeted by the church : anon they wyll dryue hym to abiure / or holde hym atteynted withoute

oute examynynge the intente or cause of his sayenge, or whether he hadde a mynde to be reformed or not: and that is a verye soore waye / oure lorde be more mercysfulle to oure soules, than so greuously to punyshe vs for euerye lyghte defaute.

And here some saye, that bycause there is so greatte a desyre in spyrytuall men to haue men abiure, and to be nooted with heresie, and that some / as it were of a polycye do noyse hit that the royaume is full of heretyckes, more than it is in dede: that it is verye peryllous, that spirituall men shulde haue auctoritie to arrest a man for euery lyghte suspicion, or complaynte of heresye, tylle that desyre of punysshement in spirituall men be ceassed and goone: but that they shulde make processe ageynst them to brynge them in vppon payne of cursynge: and thanne, if they tarye fourty dayes the kynges lawes to brynge them in by a wrytte *De excommunicato capiendo* / and so to be brought fourthe out of the kynges Gaole to aunswere. But surely, as it is somewhat touched before

A TRETISE.

before in the. vii. chap. it semeth that the church in time past hath done what they coule to brynge about, that they might punyshe heresie of them selfe, without callynge for any helpe therin of the secular power.

¶ And therfore they haue made lawes that heretykes myghte be arrested and put in pryson, and stokkes yf nede were, as appereth Clementinis de hereticis. La. multorum querela. And after at the speciall callynge on of the spiritualtie, it was enacted by parlyament, that ordinarie myght areste men for heresie: for somme men thynke, that the sayde Clementyne was not of effecte in the kynges lawe to areste any man for heresie: But if a man were openly and notably suspected of heresie, and that there were sufficient recorde and wytnes ayenste hym, & there were also a doubt that he wold flee and not appere, wherby he myghte infecte other: it semeth conuenient that he be arested by the body: but not vpon euery lyght complaynt, that full lyghtly maye be yntrewe. And it wyll be right expedient, that the kynges hyghnes and
his

his counsaylle loke specialle ypon this matter / and not to ceasse / tylle hit be brought to more quietnes than it is yet, and to se with great diligēce, that pride / couetyse, nor worldly loue be no iudges / nor innocentes be punysshed / ne yet that wylfull offenders go not without dewe correccyon.

CAn other cause of this diuision.

The . ix . Chaptyer .



An other occasyon of this dyuysion hath risen by the extremities / that haue ben shewed in lutes taken in the spirituall courtes / by spirituall menne / for there hath therby risen an opiniō among moche people, that a man were as good or better to let a spyrytual man haue at the begynnyng all that he demaundeth as to stryue with hym in the spirituelle lawe for it. In so moche / that as hit is sayde / suche extremities haue bene ysed in the spiri

A TREATISE

spirituall lawe for tythes, that no prescription, custome, cōposition, nor other plee shall be admyrted in the spirituall lawe ageynste them. And surely if that be trewe, it is a great parcialyte / and a great denyenge of Justyce. And therfore it wolde be refourmed. And as for mortuaries they be adnulled all redy by statute, but yet begynnethe to ryse oone thyng to maynteyne the fyrste diuision concernynge suche mortuaries, if hit be suffered to contynue, and that is, that many curates / not regardynge the kyn- ges statute in that behalfe / perswade they: parysshens, whan they be sycke, to beleue that they can not be saued, but they restore them as moche as the olde Mortuarye wolde haue amounted to. And surelye the Curates / that by that meanes gette any recompence, by gyste / or by queste, are bounde in conscience to restitution. For he is deceyuedde in his gyste or bequeste. For it procedeth not of a free libertie, but vpon that vntrue infourmacion. And lyke as a contracte, wherby a man is deceiued in that thinge that is solde / holdeth not in conscience,

as if a manne selle copper for golde, or wyne myrte with water for pure wyne: and so it is whan a man maketh a gyfte or a bequeste vppon an vntrue surmyse. And that no man is bounden in conscience to restore for his Mortuarye now: sythe the statute of Mortuaryes was made, it maye appere thus. It is holden by them that be lerned in the lawe of this royalme, that the parlyamente hath an absolute power / as to the possession of all temporall thynges within this realme, in whose handes so euer they be / spyrytuall or temporalle / to take them fro oone manne, and gyue them to an nother, withoute anye cause or consideration. For if they doo it, it byndeth in the lawe. And if there be a consideration, than it byndethe in lawe and conscience. And certayne it is, that all suche Mortuaryes were temporalle goodes, though they were claymed by spiritalle menne: And the cause why they were taken awaye was, for as moche as there were fewe thynges within this realme, that caused more varyance amonge the people, than

A TREATISE

than they dyd/ whan they were suffred:
for they were taken so farre agaynst the
order of the kynges lawes, and agaynst
Justice and ryght, as shal herafter ap-
pere. Fyyste they were taken not onely
after the deth of the hus bonde, but also
after the dethe of the wyfe, which after
the lawes of the realme had no goodes/
but that it was taken of the hus bondes
goodes/ and they were taken also of ser-
uauntes and chyldren as well infantes
as other. And if a man died by the way,
and had an housholde in an other place,
he shulde paye mortuaries in bothe pla-
ces. And sometyme whan the parson,
and vicar of a churche appropriated, vari-
ed for the mortuaries / the people, as it
hath ben reported, haue ben enforced/er
they coulde sytte in reste, to pay in some
places mortuaries to them bothe. And
sometyme the curates wolde prohibyte
poore men to sell theyr goodes in time of
theyr sicknes, if they were suche goodes
as were lyke to be theyr mortuaries: for
they wolde say it was done in defraude
of the church. And if the quyk goodes
were better than the deed goodes, they
wolde

wolde in some places take the quicke:
And yf the deade goodes were better
than the quicke, they wolde take the
deed. And the Mortuaries muste be dea-
lyuered forth with / or elles the bodye
shulde not be buried. And they prescri-
bed to haue right to Mortuaries onely
by the prescription of the spiritual lawe.
And vnder that maner mortuaries en-
creassed dayly in many places, where
they hadde not bene vsed before, and of
lykelyhode wolde haue gone farther, if
they had not bene stopped in tyme. And
they were in many places taken in suche
maner, that it made the people to think,
that the curates loued theyr mortuaries
better than theyr lyues. And therypon
rose in many places great diuision and
grudge betwixte them, whiche broke
the pece, loue, and charite that shulde be
betwene the curate and his parysshens,
to the great vnquietnes of many of the
kynge's subiectes, as welle spirituall as
temporall, and to the great daunger and
perylle of theyr soules. For these causes
the said mortuaries be adnulled by par-
lyament / as well in conscience as in the

D

lawe:

lawe: And yet it is sayd, that some curates vse great extremities concernynge the sayde mortuaries, a nother waye: and that is this. If the executours at the firste requeste pay not the money, that is appoynted by the statute, they will anon haue a citation ayenste hym, And there he shalbe so handled, that as it is sayde, it hadde bene mooste commenly moche better to hym / to haue payde his olde mortuarie / than the costes and expenses that he shall paye there. And if it be so / it wolde be resourmed. And surely this matter wolde be groundgly loked vpon: for some men saye, that the sute in that case oughte to be taken in the kynges courte / and not in the spyrituall courte.

Other occasions of this
dymysion.

The tenth Chapyter.



He extreme and couetous demenour of some curates with their parishés, wher of mencion is partly made hereafter / hath be an other cause

cause of this diuision: And though many spirituall men be not felowes with them in the extremittees: yet none of them that haue ben beste and most indifferent, haue not done any thyng to resourme them that vse suche extremities, ne to make them thynke that any defaute is in them in that doynge: but rather, as it were with a deffe eare, haue dissymuled it, and suffered it passe ouer, and haue endeouored them selfe more to oppresse all the lay people, that wolde speke against it, than to resourme them that do it.

And some of the sayde extremities be those. Some say, that in takynge of tythes curates in some places wyll haue the .x. parte of euery thyng within the paryshe that is tythable, though theyr predecessours without tyme of mynde haue bene contented withoute hit: and though there be sufficient besyde for the curate to lyue on, or though he hath not knowen, but that parcas some other thyng in olde tyme hath bene assigned in recompens for it. And in some place is asked, as it is sayde, tythe bothe of chekyns and egges, and in somme place of

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mylke and chese, and in some places the
x. parte of the grounde, and also of that
that falleth on the grounde. And in some
places is claymed tithe of seruantes wa-
ges without deduction: And it is but in
fewe places, that any seruante shal go
quyte without som tyth paying, though
he haue spent al in syckenes, or vpon his
father and mother, or suche other neces-
sarye expenses.

And in som places if a paryshen haue not
ten calues that yere, the curate wyll put
the tythyng of tyll an other yere, and
than to take a tythe calse, accomptynge
bothe yeres to gyther, rather than he
wolde the first yere take the money, that
is in that case assygned by the lawe. And
they do the wyse of iambes, pygges,
and suche other thynges. Also in many
places the curates take more at marya-
gals, buryals, and obytes than they were
wonte to do, and wyll not bury a stran-
ger, that dyeth within the paryshe, but
he haue some what for it. Also some cu-
rates, whan there is any varyaunce be-
twene hym and any of his paryshens, or
that any of his parishens be in his dette,
hath

hath prohibyte them from houselle tyll
he be payde. And it hath ben sometyme
sene, that whan a poore man hath bene
sette to be howseled the curate hath be-
fore al the paryshe, vpon some suche dis-
pleasure caused hym to ryse and goo a-
wayne without houselle, to his rebuke.
And though these abusions be not vsed
vniuersallye (god forbede they shulde)
for there be many good curates and o-
ther spirituall men, that wolde not vse
them for the wynnynge or lesynge of no
erthly thynges: yet whan people of dy-
uers countreys mete to gether, and one of
them telleth an other of some suche extre-
mities in some curates in his countreie/
and the other lyke wyse to hym: anone
they esteeme suche couetyse and extreme
delynge to be in all curates. And though
they do not well in that doynge, for the
offence of one prieste is no offence to an
other, if they so wyll take it: yet spiri-
tuell men do nothyng therin to brynge
the people oute of that iudgement, but
suffre suche abusions to be vsed by some
of them continually without correction/
and (as I haue sayd before) wyl rather

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labour to stoppe the mouthes of them,
that wyll synde defaulte at suche deme-
noure, than to helpe to resourme them/
that do it. And surely as longe as they
do so, it wyll be verye harde to haue a
good vnitie & peas in this behalfe.

COther causes of the sayde
dyuyfion.

The .xi. Chapyter.



Nother thyng / that
hath caused the people to
grudge agaynst the poope
and other spyrytuall reu-
lers hath bene the graun-
tynge of pardons for money. For whan
hit hath benne noysed, that the money
shulde be bestowed to somme charitable
vse, as vppon the buyldynge of sayncte
Peters church in Rome, or to suche o-
ther charitable vse: it hath appered af-
terwarde evidently, that it hath not ben
disposed to that vse. And that hath cau-
sed many to thynke, that the sayde par-
dons were graunted rather of colletice/
than of charitie, or for the helthe of the
soules

soules of the people. And thervpon some haue fallen in maner into dispisyng of pardons, as though pardons graunted yppon suche couetise shulde nat auayle. And because the people be greatly deceyued in that iudgement, for as to the taker the pardon is good, thonghe the grantor offende in his grantynge of the pardon. Therfore it is ryght necessarye, that the rulers take hede, that pardons be hereafter granted in suche charitable maner, that the people shall haue no occasion ne colour to thynke, that they be granted of couetice: And than the grauntours shall profytte them selfe in theyr graunte, and the people also in theyr takynge, and elles it maye lyghtely hurte them bothe. And veryly it were greatte pitie, that any myslykynge of pardons shulde growe in the hertes of the people for any mysdemenour in the grauntours or other wyse, for they be right necessarye. And I suppose, that if certain pdons were granted frely without money, for sayng of certeyn prayers therin to be apoynted, that all mislykynge of pardons wolde shortly cesse and vanyshe away.

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An other cause of this
dyuysion.

The .xj. Chapyter.



Another cause of this di-
uision hath ben by reason
of dyuers lawes and con-
stitutions/which haue ben
made by the church, some-
tyme by the Pope / sometyme by lega-
tes/or by Metropolitanes in theyr pro-
uince: wherin they haue many tymes ex-
ceded theyr auctoritie, and attempted in
many thynges agaynste the lawe of the
realme. And yet neuer the lesse many pri-
stes haue gyuen full credence to them/for
they haue thought that the makers ther-
of, whiche were the heedes of the chur-
che, wolde not make any lawe, but by
good and sufficient auctoritie. And ther-
vpon it hath solowed / that whan any
doubte or question hath rysen vpon the
sayde lawes: all spipitual men in maner
wolde sticke faste to the lawes, and ma-
ny temporall men by reason of a comen
vse and custome, that they haue sene to
the contrarie, haue resisted them: wher-
vpon

vpon haue rysen in many places greatte stryfe, variaunces, and great expences in the spirituall lawe. Wherby many temporal men haue thought, that spirytual courtes be rather vsed for maintenaunce of couetise/thā for ministracion of iustice. And thoughe / with the mercye of oure lorde / the trouthe is not so vniuersally: yet some diligence wolde be taken to remoue that iudgement fro the people.

And of these lawes is the constitution of Boniface the archebysshoppe of Lanterbury, wherby it is decreed / that he that letteth a woman couert to make her wyll, or that letteth it to be proued, is accursed: and the lawe of the realme is / that a woman couerte hath no goodes, that she may make any wyllle of / excepte it be of a thyng in action, or that she were executrix before. And if she were so, than with lycence of her husbonde she may make an executour / to the intent he may leuye the dette / or fulfyl the firste wyl. An other lyke lawe is of the decree of the ryghte reuerende father in god Robert Wynchelsye, late archbysshoppe of Canturbury, made agaynst the comen

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custome of the realme for tithe of wood:
 above. xx. yere not to be payde / whiche
 custome was consermed by the statute
 made in the. xlv. yere of kynge E. the. iij.
 that is comunly called the statute of
 Silua cedua: By reason of whiche de-
 cree great lutes, variances, and expenses
 haue ensued and wyll ensue if it be suffe-
 red. Wherfore the sayde estatute wolde
 be thoroughly sene: And if it be good,
 than not to suffre any decree to stonde
 ageynst it / and elles clerely to breake it.
 Other lyke lawes be the lawes that be
 made by the church / that executours
 shall not / yppon payne of cursynge, ad-
 mynistre / tyll they haue proued the tes-
 tament: where the lawe of the realme
 is that they may: & so reason wold that
 they shulde be: for els the goodes of the
 testatour might be embeselled & losse for
 euer. And that lay mē may not put cler-
 kes to answer before thē / specially in cri-
 minal causes. And for the strenght of tho
 lawes many spirituall mē haue reported
 opely / & that somtime in open sermons /
 that such putting to answer of priestes be-
 fore lay men is prohibited by the lawe of
 god,

god, wherupon me thynketh are greatly
to be noted these poyntes, that is to say,
that if it be as they say, that it is ayenst
the lawe of god, that than great default
is in them, that they haue done no more
to resourme it than they haue done, for
cleryng the consciēce of so many people,
as than daily offend therby. And if it be
not as they say, than they mainteyne an
yntruth, which is a great offence in men
of such grauite & pfectiō as they be. And
they also be therby bounden to restitution
to the temporal pryncis, which ought to
haue theyr synes & amerciamentes vpon
such sutes, as shuld be taken ageynst pri-
stes in theyr courtes: wherof they be ma-
ny tymes excluded by reson of the sayde
pretensed priuilege. And if it coulede be
sufficiently proued, that it is ayenst the
lawe of god, to put priestes to answer be-
fore lay men: than degradynge of them
coulede not helpe: For not withstanding
the disgradyng, the character abydeth, &
so he is a priest styll, as he was before.
And I suppose veryly, that if it coulede
haue ben sufficiētly proued to be ageynst
the lawe of god, the kynges progenitors
wolde

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wolde in tyme past haue assented to it. And that the kynges grace and all his realme, wolde with good wyll also conforme them self to it, but that was neuer sufficiently proued, as farre as I haue harde. And to that that some spirituall men saye, that it is an auncient custome, and a custome approued, that priestes in felonies, murthers, and tresons shuld not be putte to answer before laye men, and that by reason of that olde custome, they oughte to be priuiledged in that behalfe, though it can not be proued directly by the lawe of god: to that it may be answered, that there was neuer yet suche custome in this realme aproved. For priestes haue ben arayned alway for treason and felony before the kynges Justices. And for treson it hath ben sene, that they haue ben put in execution, as it appereth by a compleynt made by the clergie in the parlyament holden in the. xxv. yere of kynge Edward the thyrde pro Clero, where the clergie complayned, that priestes, monkes, & religious were contrary to the liberties of the church (as they sayd) put to dethe: and vppon that

that complaynte it was enacted, that all maner clerkes, as well secular as religious, that shulde fro thens forth be conuicte before any Justice secular, for any maner of treson or felony touching other persons than the kyng or his royal maiestie, shulde haue fro thens forth freely the priuilege of holye church, and be without lette or delaye delyuered to the ordinarie, them demaündyng. And it seemeth that by that terme, Clerke, in that statute pro Clero, is vnderstonde as wel clerkes that be within ordres, as clerkes that can rede as clerkes / and yet be not within ordres; for they shall haue theyr clergy in petite treason / whiche be commonly taken to be suche treasons, as be recited in the later ende of the declaraciō of treason, made in the sayde. xxi. yere of Ed. the. iii. wherof the eschete belongeth to the lordes of the fee. But in the other treasons, that be recited in the said Declaration / wherof the forsayture is onely to the kyng: none shall haue his clergy by the common lawe, clerke with in ordres nor lay man / that can rede / ne there is not any remedy prouided for no maner

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maner of clerkes in the trefons. For thei
touch the kynge and his royall maiestie.
And therfore they be excepted in the said
statute p Clero, as before appereth, and
be cōenly called high treasons: & of that
nature of treason is nowe wasshing clip
pinge, & filinge of money: for the statute
made in o. ij. D. v. is that it shalbe trefon
to the kynge & to the realme. And ther
fore no clerke can there haue his clergy.
And here I wolde moue a lytell far
ther, that if a clerke within ordres bren
a house, bycause he hadde not certayne
money layde in a secreete place, as he ap
poynted by a byll: whether he shal haue
his pryuylege: for the statute made in
that case, is that suche breennyng shall
be hygh treason. And yet the forfeiture
is gyuen to the lordes of the fee. &c. And
the sayd statute is anno. viij. D. vi. ca. vi.
And syth it is haute treason, many men
suppose that he shall nor haue his cler
gy: but I comynytte that to other, that
lyste to treate farther of that matter:
But for countersaytyng and forgyng
the coyne of an other realme / I suppose
a clerke shulde not be put in execution, if
he

he wyll aske his priuilege. For the statute is no more, but that it shall be treason, and sayeth not that it shall be treason to the kynge and to the realme, as the other statute dothe. And therefore I suppose, that by the sayd statute pro clero he shal haue his clergy. yet neuer the lesse that statute pro clero in one poynte declareth the comon lawe to be more strayter against the priuilege of clergy, than many men take it to be: and that is in this poynt. If a clerke stele any of the kynges goodes, that he shall not haue the priuilege of his clergie. For the sayd statute is, that he shall haue his clergie in treason or felony concernynge other persons than the kynge or his royall maiestie. And therefore for felony concerning the kynge selfe, it semeth that a clerke at the comen lawe shulde not haue had the priuilege of his clergie: but that I remyt to other, that be lerned in the lawes of the realme. And I haue spoke the further of these matters, because as me seemeth, it were ryght expedient, that spirituall men shuld knowe them, & such other as most specially pteine vnto them,
more

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more parfytely than they haue done in tyme past: and more rather to coneyte to haue the true vnderstanding of them, than to reporte that the makers of them offended in the makynge, specially seyng that they were made by the kynge with the assent of all the lordes spirituall and temporalle, and of the commens, and some of them at the specyall request and petition of the spiritualtie.

And here methynketh I myght saye a lytell farther in is matter / and that (as it is like) the trouth wyl proue, that is to say: that as long as the iurisdiccions spirituall and temporall be suffered to stande in suche case as they do now, that temporall men shall saye, that spirituall men make lawes, that they haue none auctorite to make, and that spirituall men shall saye, that temporall men make lawes, that be agaynst the libertie of the churche, wherfore they be accursed, and no other order taken to haue it knowen what is the libertie of the churche, and what not, than is yet taken: It wyl be longe er this dyuysion wyl be fully appesed. Than to retourne to
the

the priuileges of clerkes. The trouthe is, that yet clerkes within orders be more fauoured than clerkes that be not within ordres. For if a prieste be arrayned of felony, and confesseth the felony, or is founde gyltie, and than he prayeth the benefyte of his priuilege, and sheweth the letters of his ordres: in that cas the iudges wyll nat compell hym to rede. For sithe the churche hath admitted hym to orders, the lawe presumeth that he can rede as many men saye. And ouer that if a preest wolde wylfully forsake his priuilege, and confesse the felony and become a prouour: yet if the ordinarie wyll aske hym as a membre of the churche, and shewe the letters of his orders, he shall haue hym, and that is by the statute called articuli cleri. For before that statute he shulde haue bene compelled to haue done battayle, if the approuee wolde haue waged hit. And also if a preeste, after that he hath confessed the felony, or after that he is founde gyltie, wyll pray his clergie and after of wilfulnes he wyll renouce his priuilege: yet if the ordinarie wyll aske hym, he

E

shall

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shall haue hym: and that is by the com-
men lawe. But in this matter hit is a
doubte/ to many men, whether it suffy-
seth to the ordinary only to affirme, that
he is a priest/ & so to aske hym: or that he
must shew the letters of his orders. And
I suppose, that it is sufficient, if he af-
firm that he is within orders, though he
shewe not the letters of his orders / nor
yet the regestryng of them. And that se-
meth by the statute of an. iij. D. vij. ca.
xij. where it appereth, that the Certifi-
cat of the ordinarye, that he is within
orders, shulde suffice. And if his certi-
ficat shulde suffice, than it semeth that
his seieng in his owne persone, that the
other is a clerke, shulde suffice.

¶ And in the statute made anno. xxij.
Henrici octavi. ca. i. it appereth / that
clerkes within holy ordres, haue great-
ter priuilege, concernynge theyr clergy-
than clerkes, that be not within ordres.
But neuer the lesse I leue that matter to
the determination of other.

¶ But admitte, that there had ben such
accustome receyued and admitted in the
realme, that prestes shulde not be put to
aun-

aunswer before laye men, and that than
this questyon were asked / whether the
parliament myght breake that custome?
To that questyon (as it semeth) it maye
be aunswered thus: That if that cu-
stome turne in to an occasyon and bolde-
nes of theste and murder, and other lyke
thynges agaynst the kynges peace, and
that as well in many spirytual men as
in tēporall men by exāple of spirytual mē/
which by reason of that priuilege take a
boldnes to offend: It were not only a lau-
ful dede to breke that custom, but a right
good & meritorious dede to do it. and a
dede that the kyng is bounde to at his
coronacion. For he is sworne to mayn-
teigne the good customes of his realme,
and to breake the euill. And sure it is,
that all customes that be agaynst his
peace, be euill, as this shulde be, if that
effecte shulde solowe of it, as before ap-
pereth. And that the kyng is specialle
bounde by his lawes to aduoyde all
thynges / that may be a let to his peace,
it apperyth by the statute that is called
statutū de defentione armorū, where it is
sayd amōge other thynges thus. To the

A TRETISE

kyng it appertayneth by his royall seignory to defende strongly all armys, and all other force agaynst his peace as ofte as shall please hym. And that he maye punyssh them that do agaynst his peace after the lawes and customes of his realme. And that all his lordes spyrytuall and temporall are bounde to ayde hym therein as theyr souerayne lorde. And syth murders and felonyes are specially agaynst the kynges peace: therfore the sayd custome shulde be agaynst his pece, if suche effecte shulde folowe of it, as before appereth. Wherfore it semeth, that he shuld than haue auctoritie in his parlyamente to breake that custome / as a thyng agaynst the peace and quyetenes of his people. And he that hath auctoritie to aduoyde suche thynges as breke his peace / hath also auctoritie to preuent and deuoyde suche thynges, as maye gyue occasion to the breking of his pece / as that custome shulde do, if the sayde effecte shulde folowe of it. And certayn hit is, that hit hurteth no more a good prieste, that an euyll preest is punysshed, than it hurteth a lay man, that he is punysshed:

nysshed: ne no more than it hurteth a good lay man or woman, that an other is euyl and is punysshed for it. And I suppose verily, that this diuision wyl neuer be perfyteley appeased, tylle preestes and religious wyl be as lothe to here of any defeute in a lay man or lay woman, as in a preste or in a religious person. And that wyl neuer be as longe as the great confederacies and singularite continueth amonge preestes and amonge religious persons, as it dothe now. The good lay men and women must patiently beare the euyl reporte of other laye men and women, that be of the same condycyon as they be / and so they shall be taught by spiritual men / that they ought to do: but they wyl not do so them selfe. In so moche that I suppose verily, that many a prest and religious wold grudge more ayenste an euyl reporte made of a preste or religious, that in dede were gyltie, in pryde / couetise, angre / malice, glotony, lecherie, or suche other: than they wolde be ayenst a lyke euyl report made of a laye manne or a laye woman / that were not gyltie.

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CDyuers other lawes there be that be made by the churche: that many menne thynke the churche hadde no power to make: As it is, that no benefice shalbe let to a lay man, but a spiritual man be ioy ned with hym: Or that it shall not be let aboue. iij. yeres. And also the constitu tion of a dimission noble, & suche other, that were to longe to reherse now. For these suffice to shew that by such lawes made by the churche, that they had no power to make any lawe of, hath rysen one speciall cause of this diuision.

CAn other occasion of this
dyuision.

The. xiii. Chapyter.



An other occasion of this di uision hath rysen by reason of feyned visitations vsed in tymes paste by ordina ryes and other, that haue hadde power to visyte houses of rely gion and churches in the countrey: For there is a commen opinion in maner vni uersally rysen amonge the people, that
suche

suche visitations/after the maner as they be vsed, do litel good, and rather encrece vice than vertue. And verily the more pitie is, it semeth to be true as they say. For it is vsed, that at suche visitations, visitours take of the houses of religion that they vilyte, some certayne pencyon: And for visitation of churches they haue of some certayne church, mete and drynke, where they vilyte/ and than they gather some certayne duetie of all the churches within certayn circute in that contrey. And neuerthe les, as the comen opinion gothe, comenly they resourme nothyng/ but as they synde it/ so they leue it/ and neyther comfort they vertue ne punyshe vice/ but many tymes the contrarie, by some worldly demeanour or euylle example, that the people see in them. And thus whan the people haue sene, that offenders, as well spiritual as temporal, contynue after the visitation/ as they dydde before: they haue coniectured, that the ordinaries and visitors do visite more rather for theyr pencions, than for any good order or reformation. And this/ through a longe continuance/

A TRETISE

hath brought the people to iudge great
couetice in suche visitours / whiche com-
menly be of the greatest reulers of the
spiritualtie : wherby the people by lyt-
tell and lyttell haue fallen into a dispray-
sing of suche visitations, and into a mys-
slykyng of theyr rulers spiritual / and of
suche pompe and worldly behauour, as
is shewed by them at suche visitations.
And than whan suche visitours and spi-
rituall rulers haue perceyued, that the
people haue misliked theyr visitations,
they haue disdayned it / and haue conty-
nued styll as they dyd before : & so hath
the grudge betwene them continued se-
cretely of longe tyme. And surely it is to
be moche meruayled, that visitours wyl
attempte to take at theyr visitations any
pension or imposition of them that they
visite / contrary to the good lawes that
be made in the. vi. boke, ti. de sensibus.
ca. romana, et exigit. Wherin great pe-
nalties be set vpon them that take any
pension at theyr visitations / contrary to
the sayd lawes, as in the same doth ap-
pcre. And but there be any secret dispen-
sation in that behalfe : many be suspend-
ded,

ded/ that dayly miniftre. And if there be any fuche fcrete difpensation, hit is to doute/ that the graunte therof proceeded not of charite, but of fome couetyfe and fingularite: yf the very grounde therof were thzoughly ferched. Wherfore hit were ryght expedient, that fuche visitations were fet in fuche order / as well by fpirituall authorite/ as by temporal auctorite / that good men hereafter myght therby be comforted, and euyl men corrected & reformed / to the good example af all other that fhulde here of it.

CAn other caufe of this diuifion.

The. xiiij. Chapyter.



And not her caufe of the faid diuifion hath ryfen by occasion of the great multitude of lycences and difpenfations, that haue benne made for money by popes and biffhops in tyme paffe, contrary to dyuers good lawes made by the churche, as of pluralites, ayenft the lawe that no mā fhuld

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haue but one benefice / and of lycence to curates to be none resident, of capacities to men of rely gyon / and that none shall take orders, ne be promoted afore a certayne age, and suche other: whiche lycences and dispensacions haue bene so accustomedly graunted for money without cause reasonable, that great inconueniences haue folowed vppon it, to the great grudge, and murmour, and euyll example o all the people.

CAn other cause of the sayde dyuysion.

The.xv. Chapyter.



An other occasyon of the sayd diuision hath rysen by a great laxnes and liberty of lyuynge / that the people haue sene in many religious men. For they say / that though religious men professe obedience and pouerty / yet many of them haue & wil haue their owne wil / with plenty & delicate feedinge / in suche abundance that no obedience nor pouertie appereth in them.

And

And therfore many haue sayde, and yet say to this day / that religious men haue the most pleasant & delicate lyfe that any men haue. And truly if we behold the hollynes & blessed examples of holy fathers, & of many relygyous persons / that haue bene in tyme past and of many religious persons that be now in these dayes : we shulde se ryght great diuersity bytwene them, I trowe (as for many of them) as great diuersitie as is bytwene heuen and hell. And here, as it semeth, I myght conueniently reherse the wordes that be spoken in the fyrst boke of the solowyng of Chryste, the. xviij. chapyter / where it speaketh of the holy fathers, that haue bene in religion in tyme past, and sayeth thus. They serued our lorde, in hunger and in thurst, in hete and in colde, in nakednes, in labour, and in werynes, in vigils and fastinges, in prayers, and in hollye meditations, in persecucions / and in many reproffes. They refused honours here in this lyfe, that they myght alway haue them in the everlasting life. O how strayt and howe abiecte a lyfe led the holy fathers in wyldernes? howe greuous tempta-

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temptacions they suffered: howe syerfly they were with they: ghostly enemyes assailed: howe seruient prayer they dayly offered to god: what rygorous abstinence they vsed: howe great zeale and feruour they had to spirituall profite: howe stronge bataylle agaynst all synne: And howe pure and holle entent they hadde to god in al they: dedes: on the day they laboured, and on the night they prayed. And though they laboured on the daye bodily, yet they prayed in mynde, and so they spented they: tyme alway frutefully, and thought every houre shorte: for the seruyce of god, and for the great sweetness that they hadde in heuenly contemplation, they forgette ofte tymes they: bodily refection. All ryches, honour, dignities, kinnesmen, and frendes they renounced for the loue of god. They coueted to haue nothyng of the worlde, so that scarcely they wolde take that was necessarye for the bodily kynde. They were poore in worldly goodes, but they were ryche in grace and vertues. They were nedy outwardely, but inwardely they were replenysshed with grace and ghostly

goostly comfortes. To the worlde they were alyens and straungers, but to god they were ryghte deere and famylyer frêdes. In the syghte of the worlde and in theyr owne sighte they were vile and abiecte / but in the sight of god & of his saynctes they were precious and singularly electe. In them shone all perfection of vertu, trewe mekenes / symple obedience, charite, and pacience, with other like vertues and gracious giftes of god. Wherfore they profited dayly in spirite / and opteyned great grace of god. They be leste as an example to all religious persones, and more oughte theyr examples to stire them to deuocion, and to profite more & more in vertue and grace / than the great multitude of dissolute and ydle persones shulde any thyng drawe them abacke. O what seruoure was in religious persons at the begynnynge of theyr religion? What deuocion in prayers, what zele to vertue / what loue to goostly discipline / and what reuerence and meke obedience flourished in them vnder the rule of theyr superiour? truly theyr dedes yet bere witnes, that they were

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were holy and perfyte, that so myghtly
 subdued the worlde, and thrust it vnder
 fote. Thus farre gothe the sayde chap-
 ter. But the more pitie is, most men say,
 that nowe a dayes many religious men
 wyl rather folow theyr owne wyl, than
 the wyll of theyr superiour, and that
 they wyll neyther haue hunger nother
 thyrst/ heate/ nor colde/ nakednes, wery-
 nes/ nor labour/ but riches/ honor/ digni-
 ties/ frēdes & worldly acquaintance, attē-
 dānce of seruātes at their cōmandemen-
 tes, plesures, disportes & that more libe-
 rally than temporall mē haue. Thus are
 they fallē (say they) fro the true religiō:
 wherby the deuocion of the people is in
 maner fallē fro thē. Neuertheles I dout
 not/ but there be many right good & ver-
 tuous religious persones/ god forbide it
 shulde be otherwysē: but hit is sayde/
 that there be many euyll, and that in su-
 the multitude, that they that be good
 canne not, or wyll not, see them resour-
 med. And one great cause that lettethe
 reformation in this behalse / is this:
 If the moste dissolute persone in all the
 cōminaltie/ and that lyueth moste openly
 ayncst

ayenst the rules of the religion, can vse this policye, to extolle his religion aboue other, and dispraise other relygyons / for that they be not of suche perfeccyon as theyr religion is, anoue he shall be called a good seruente brother, and oone that beareth vppe the religion, and shall be therfore the more lyghtely forborne in his offences.

Where the trouthe is, that the religion maynteyneth hym, and beareth vppe hym / and not he the religion. For hit hath lyttell nede of hym. And though many be good / and lyue a ryght good and laudable lyfe, after the statutes and order there vsed: yet in that poynt / to extolle their relygyon aboue other, and to take parte with them, that doo so, though they knowe, that they that so extoll it, kepe not the religion them selfe / fewe be without offence / and truly that is a great defaute / for it gyueth a great boldnes to offenders, and discourageth them, that be good, whanne they see them that mooste lyue ayenst theyr relygyon / be so maynteyned and commended,

An

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CAn other thing that hath caused many people to myslike religion, hath ben the great extremitie that hath ben many tymes sene at elections of abbottes, priours, and suche other souerayngnes spirituall. And this is a generall grounde, that whan religious men perceyue, that the people myslike them, they in theyr hartes withdrawe their fauour and deuotion agayne fro them: And so hath charitie waxed colde betwene them.

And verily I suppose / that hit were better, that there shulde no abbotte or prioure hereafter contynue ouer certayne yeres, that shuld be appoynted by auctorite of the rulers, than to haue suche extremities at elections, as haue ben vsed in tyme past in many places.

CAnd verely (as me semeth) one thing wolde do great good concernynge religions, and all relygious persons, and that is this: that the rules and constitutions of religion were sene and wel considered, whether the rygour and straitnes of them may be borne now in these dayes, as they were at the beginnyng of the religions. For the people be now more

more weyke / as to the multitude / than they were than. And if it be thought / that they may not be nowe kepte : that than suche relaxacions and interpretacions of theyr rules be made, as shall be thought by the reulers expedient : For better it is to haue an esye rule wel kept, than a strayte rule broken without correction : For therof soloweth a boldnes to offende, a quyet herte in a euyl conscience : a custome in synne, with many euyl examples vnto the people : wherby many haue founde defaut at all religion, where they shulde rather haue founde defeaute at dyuers abusions agaynst the true religion : For certayne it is, that religions were first made by holy fathers, by the instincte of the holy ghoste / kepe them who so may.

The conclusyon of this lytell treatice.

The. xvi. Chapter.

F Sith

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ythe there is no sacrifice
 that more pleseth almygh-
 ty god / than zeale of soules
 dothe it is good that every
 man dispose hym selfe, as
 nygh as he can / to haue that zeale : And if
 he may through grace come therunto, it
 shall instructe hym in many thynges,
 how he shal behaue him selfe anenste his
 neyghbour. And fyrste hit shall teache
 hym / that he shal take hede, that he do
 nothyng / that myght gyue occasion vn-
 to his neyghbour to offende. And I vn-
 derstonde not therby, that he shal only
 take hede, that he do none euyl dede,
 wherby his neyghboure maye take oc-
 casion to offende, whiche in latyn is cal-
 led offendiculum / that is to say / an occa-
 sion to offende : but I meane also, that
 he shal take hede / that his neyghboure
 take none occasion to offende by no dede
 that he shal do, though it be good, as
 gyuinge of almes, or buyldyng of chur-
 ches, or such other : which if the people
 iuged to be done of pryde & vaine glory /
 must be lefte for a tyme, for hurtyng of
 them that be of that opynion / tyll they
 may

maye be instructed of the intente of the dede. And if they wyll in no wyse be reformed, than bycause hit semeth to be of malice, as was in the phariseys: their iudgement may be dispysed / & the good dede contynued.

Also where trouth shulde perysshe / if the good dede shulde be omytted / there a good dede is not to be omytted. And accordynge to that is sayde before / the blessed apostell saynt Paule, of a greatte zeale that he had to the people / sayde:

If eatynge of flesshe shulde hurte my neyghbour, I wolde neuer eate flesshe. And therfore in the sayd chapiter he monysshed all them, that wolde eate mete, that was offered to ydolles before them: that were newly conuerted of the gentyles / and that were yet but weke in the faythe: that they shulde beware, that though they knewe, that they myghte lausfully do as they dydde, that yet they shulde take hede, that theyr brother were not offended therby. And in al that chapiter the holy apostell treateth moch that it is good to euery man to be ware / that through his dede he gyue no occa-

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sion to his brother to offende. And I beseeche almyghty god, that euery manne / but moost specially our lordes and maysters spyrytuall / may hereafter endeuor them selfe to kepe wel this poynt / that is to say / that they do nothyng to gyue the people occasyon to offende : and ouer that, that they may diligently instructe the vnlerned people to the knowlege of the trouthe, and to stable them as well by doctrine as by good example, all singularite sette aparte. And for as moche as doctrine and good example perteyne mooste specially to prelates and spirituall rulers, therfore I shall briesely recyte certayne auctorities, that shall some what moue them to haue a zeale and loue vnto the people. And also to be pyteous vnto them : And for shortenes I shall omitte for this tyme to shewe by whome the sayd auctorities were spoken / beseechyng the reders to take hede to the wordes that be spoken, though hit appere not who speake them.

C Synt I synde dyuers auctorities that say thus : It is expedient, that prelates study more to profite the people, than to haue

haue preeminence ouer the people.

¶ Also I fynde wrytten / that though he punishment may not holly be omytted / that yet it profyteth moche, that hit be sometyme deferred.

¶ Also that it behoueth necessarily, that he that hath rule ouer other / brene euer in a quicke lyuely zeale to the helthe of theyr soules, that he hath rule of : And that els he shal lytell profyte vnto them. And therfore he coueteth vndiscretely to haue rule ouer them / that he studyethe not to profite vnto. And therfore this is sayde specially to prelates and to other that haue rule ouer the people : Rule ye, to foresee the perylles and daungers of them that ye haue rule of, to counsaile them to procure their helth, and to serue and to profite to other / as good saythfull and wyse seruantes, whome our lorde hath ordeyned ouer his householde.

Plante ye vertue in them by holsomme doctryne, water it by good example, and helpe them with your prayour, and thā haue ye done that pertaineth to you / and our lorde shall well gyue encrece of growynge, whan hit shall please hym, and

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that parauenture there as after mannes iugement was farre vnylike. These thre thynges therfore be very necessary, doctrine, example / and prayour; but the greatest of them is prayour. It is also sayd to the prelates thus: Knowe ye, that ye oughte to be as mothers to the people, and not as lordes / and ye ought to studye rather to be beloued than doted, and if it be necessary some tyme to haue correction, that it be a fatherly correction, and not as it were of a tyraunte / and show your selfe as mothers in nourishynge of the people / and as fathers in correctyng them. Be meke / put away all fierkenes / forbere betyng / and speke vnto the people faire and sobre wordes, and set not your yock to greuously vpon the, whose burdeyns ye ought rather to bere. If ye be spiritual, instruct the people in the spirite of Softenes, and let every man consider hym selfe well; lest that he may be also tempted. He that is a mother dyssembleth not / he can ioye with them that ioye / wepe with them that wepe / and he wylle not cease to thruste oute of the breste of compassion the mylke of consolation.

tion. He taketh hede, if he can perceyue any mā that is vexed with any gret tēpacion or trouble / & that is heuy & weike therewith: And if he finde any such, with him he soroweth, him louingly he entreteeth, him he cōforteth, & findeth anon many argumētes of pitie & trust, wherewith he reiset him vp ayen to cōfort of spirit. And if he knowe any that is prompter quick, & wel profityng in grace, he ioyeth with hym, he giueth him many holsome counsailes, & kindeleth him, and instructeth hym all that he can to perceuer and profyte euer fro better to better, he conformeth him selfe to euery mā, he toreneth the affections of al men vnto hym selfe in al goodnes, and proueth him selfe verily to be a mother, as well of them that be offenders, as of them that profiteth in grace: And as a trewe leche he seeketh as well them that be sycke as them that be hoole / and all this he dothe through the giste of pitie, and of a zeale, that he hath to the helth of theyr soules. Also a good diligente shepeherde neuer cēsethe to fede his flocke with good lessons and examles, and that with his

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owne example rather than with other
 mennes. For if he fede them with other
 mens examples/and not with his owne/
 hit is but a rebuke vnto hym, and his
 flocke shall not profyte moche therby.
 For if a prelate wyl shewe vnto the peo-
 ple the sobrenes of Moyses/the pacience
 of Job, the mercy of Samuell, the ho-
 lynes of Dauid, & suche other examples
 of blessed men: and he hym selfe be vn-
 meke, vnpacient, vnmercysfulle, and not
 holy, it is to fere, that al those examples
 shal lytel profite. And therfore prelates,
 that in tyme passed haue bene the verye
 trewe sheperdes, though they hadde
 theyr bodyes here of the erth/yet neuer
 the lesse they fed the flockes of our lorde
 to them commytted with heuenly sode,
 and vsed not to preache to them theyr
 owne wyll, but the wyll of god. And
 one man saythe of prelates this: Whan
 I (sayth he) beholde the heyght of the
 honour of prelacy, sothe with I drede
 the peryll and daunger of it. And whan
 I consydre the degree, I drede the ruine.
 I consydre the heyghte of the dignitie,
 and I beholde forthwith the mouthe of
 Delle

Welle open euen at hande. For there is no doubt, but that theyr administration is more peryllous, than is the minystration of any other. But yet neuerthelesse if they administre wel they shal get them selfe therby an hyghe degree in heuen / & they shall receiue the gretter abundance and more full measure of peace for theyr good trauaylle for euer. And I beleeche almyghty god to sende these. iiii. thynghes habundantly into the worlde / and that mooste specially amonge prelates, and spirituall rulers, that is to say, zeale of soules, pitie, good doctryne, and deuout prayour. And than vndoubredly, a newe lyghte of grace, and of tractabilitie, shall shortly shewe and shyne amonge the people.

Thus endeth this Treatyse
concernynge the diuision
betwene the spiri-
tualtie & the
tem-
poraltie.

THE TABLE.

court by spiritual me, hath ben an other
cause of this diuision.

The nyntythe Chapiter.

That the extreme and couetous de-
menour of some curates with theyr pa-
rysshens hath ben an other cause of this
diuision.

The tenth Chapiter.

That the grauntyng of pardons for
money, as it were to some charytable
vie, that hath not after solowed, hath
raised an other grudge amonge the peo-
ple, whiche hath ben an other occasion
of this diuision.

The leuenth Chapiter.

That the makynge of lawes by the
church, whiche they had none aucto-
rite to make, hath ben an other occasion of
this diuision.

The twelthe Chapitre.

That lacke of good visitations, hath
ben an other occasion of this diuision.

The thyrtyene chapiter.

That the great multitude of lycences
and dispensacions made by spirytual ru-
lers for money ypon lyghte suggestions
hath ben an other cause of this diuision.

The fouretene. Chapiter.

That

THE TABLE.

That the great larnes and worldely pleasures of religious persons / wherby the people hath benne greatly offended, hath bene an other occasion of this diuysion. The fystene Chapter.

Than for a conclusion of this treatise it is soimwhat touched, howe good it is to haue a zeale of soules, and how perilous it is to do any thynge, wherby they myght be hurted. And that if zeale of soules/pitie/good doctrine, & deuoute prayour, were abundauntly in this worlde / moost specially in prelates and spirituall rulers: that than a newe lyght of grace and tractabilite, wolde shortelye shewe and shyne amonge the people.

The.xvi.Chapiter.

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